

# California Department of Insurance

## Fraud Division

### June 2010 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

**Note:** If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program  
9342 Tech Center Drive, Suite 100  
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

## **June 2010 Workers' Compensation Fraud Convictions**

Case Number: TCM24570

County: Tulare

Defendant: Raymundo Gomez Avila

City/County of Residence: Culter/Tulare

Conviction Date: 06/02/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 12 Months Summary Probation, \$10,000 Criminal Fine (\$8,500 Suspended)

CDI Case Number: 10AW006653

County: Tehama

Defendant: David Patrick Bevill

City/County of Residence: Red Bluff/Tehama

Conviction Date: 06/30/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 2 Years Summary Probation, \$100 Civil Fine, \$235 Criminal Fine

Case Number: TCM234023

County: Tulare

Defendant: Lenny Ray Cordon

City/County of Residence: Porterville/Tulare

Conviction Date: 06/09/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 36 Months Summary Probation, \$1,000 Criminal Fine

CDI Case Number: 07FW017707

County: Tulare

Defendant: Maria Antonia Cuevas

City/County of Residence: Visalia/Tulare

Conviction Date: 06/21/10

Offense: 1 Count of IC 1871.4(a)(2) (False or Misleading Statement in Support of Claim); 1 Count of PC 114 (Use Of False Document)

Amount Allegedly Defrauded: \$11,858.70

Sentence: 90 Days County Jail, 3 Years Formal Probation, \$11,858.70 Restitution, \$200 Civil Fine

CDI Case Name: Bel Amor

CDI Case Number: 09BW018008

County: Marin

Defendant: Oliva A. Deanda

City/County of Residence: Novato/Marin

Conviction Date: 06/25/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 15 Days County Jail, 100 Hours Community Service, 3 Years Supervised Probation, TBD Restitution, \$500 Civil Fine, \$10,000 Criminal Fine (\$5,000 Stayed pending successful completion of probation)

CDI Case Number: 08BW011810  
County: Alameda  
Defendant: Christopher Dicker  
City/County of Residence: Oakley/Contra Costa  
Conviction Date: 06/25/10  
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)  
Amount Allegedly Defrauded: \$7,550.96  
Sentence: 1 Day County Jail, 5 Years Court Probation, \$7,550.96 Restitution (Paid In Full), \$1,178 Criminal Fine

CDI Case Number: 10AW006653  
County: Tehama  
Defendant: Robert William Douglas  
City/County of Residence: Red Bluff/Tehama  
Conviction Date: 06/30/10  
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
Amount Allegedly Defrauded: N/A  
Sentence: 2 Years Summary Probation, \$100 Civil Fine, \$235 Criminal Fine

CDI Case Name: A & L /Sharp Construction  
CDI Case Number: 09BW001239  
County: Contra Costa  
Defendant: Siale Fangupo  
City/County of Residence: Hayward/Alameda  
Conviction Date: 06/14/10  
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
Amount Allegedly Defrauded: N/A  
Sentence: 60 Days County Jail, 3 Years Court Probation, \$9,721 Restitution, \$200 Civil Fine, \$200 Criminal Fine

CDI Case Number: 10GW001652  
County: San Mateo  
Defendant: Antonio Gonzalez  
City/County of Residence: San Mateo/San Mateo  
Conviction Date: 06/16/10  
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
Amount Allegedly Defrauded: N/A  
Sentence: 2 Years Court Probation, \$1,000 Criminal Fine, (\$9,000 Criminal Fine is Suspended)

Case Number: BA368187  
County: Los Angeles  
Defendant: Miguel Angel Gonzalez  
City/County of Residence: Not available at this time  
Conviction Date: 06/24/10  
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)  
Amount Allegedly Defrauded: \$21,263  
Sentence: 250 Hours Community Service, 5 Years Formal Probation, \$21,263 Restitution, \$200 Civil Fine

CDI Case Name: Hernandez Fire Equipment  
CDI Case Number: 09FW021880  
County: Tulare  
Defendant: Juventino Escobar Hernandez  
City/County of Residence: Fresno/Fresno  
Conviction Date: 06/28/10  
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
Amount Allegedly Defrauded: N/A  
Sentence: 12 Months Summary Probation, \$1,500 Criminal Fine (in \$100 monthly increments)

CDI Case Number: 10AW006653  
County: Tehama  
Defendant: Charles Frank Ingram  
City/County of Residence: Red Bluff/Tehama  
Conviction Date: 06/30/10  
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
Amount Allegedly Defrauded: N/A  
Sentence: 2 Years Summary Probation, \$235 Criminal Fine

CDI Case Number: 10FW000866  
County: Kings  
Defendant: Sixto Francisco Juarez-Garcia  
City/County of Residence: Fresno/Fresno  
Conviction Date: 06/25/10  
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
Amount Allegedly Defrauded: N/A  
Sentence: 3 Years Conditional Probation, \$100 Civil Fine, \$3,600 Criminal Fine

CDI Case Number: 10AW006653  
County: Tehama  
Defendant: Rusty Ace Lamar  
City/County of Residence: Rio Linda/Sacramento  
Conviction Date: 06/30/10  
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
Amount Allegedly Defrauded: N/A  
Sentence: 2 Years Summary Probation, \$100 Civil Fine, \$265 Criminal Fine

CDI Case Number: 07EW021518  
County: San Diego  
Defendant: Michael C. Lindesmith  
City/County of Residence: San Diego/San Diego  
Conviction Date: 06/10/10  
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)  
Amount Allegedly Defrauded: \$45,000  
Sentence: 141 Days County Jail, 3 Years Formal Probation, TBD Restitution, \$200 Civil Fine, \$800 Criminal Fine

CDI Case Number: 08CW002350  
County: Los Angeles  
Defendant: Yesmin Navarro  
City/County of Residence: Montebello/Los Angeles  
Conviction Date: 06/23/10  
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)  
Amount Allegedly Defrauded: \$17,000  
Sentence: 3 Years Formal Probation, \$17,000 Restitution, \$100 Civil Fine

CDI Case Name: National Air Duct and Chimney  
CDI Case Number: 08EW008094  
County: San Diego  
Defendant: Kirk S. Powers  
City/County of Residence: San Diego/San Diego  
Conviction Date: 06/02/10  
Offense: 1 Count of IC 11880(a) (Premium Fraud)  
Amount Allegedly Defrauded: \$70,963.62  
Sentence: 180 Days County Jail, 3 Years Summary Probation, \$70,963.62 Restitution, \$200 Civil Fine, \$800 Criminal Fine

CDI Case Name: Rubio's Trucking Co Inc.  
CDI Case Number: 10GW005501  
County: Monterey  
Defendant: Ocavio Lamarka Rubio  
City/County of Residence: Greenfield/Monterey  
Conviction Date: 06/23/10  
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
Amount Allegedly Defrauded: N/A  
Sentence: 1 Day County Jail, 3 Years Conditional Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$7,000 suspended upon successful completion of probation)

Case Number: 10M0249  
County: Sacramento  
Defendant: Derrick Leon Stevens  
City/County of Residence: Sacramento/Sacramento  
Conviction Date: 06/16/10  
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
Amount Allegedly Defrauded: N/A  
Sentence: 3 Years Informal Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,890 Suspended)